

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

VALERIE L. FLORES,
Plaintiff,
v.
AMBER VANG, et al.,
Defendant

Case No. 5:24-cv-02063-KK-PD

**ORDER DISMISSING ACTION
AS DUPLICATIVE OF AN
EXISTING ACTION**

I. Pertinent Procedural History and Plaintiff's Claims

On August 23, 2024, Plaintiff Valerie Flores (“Plaintiff”), proceeding pro se, filed the Complaint naming (1) Amber Vang, a social worker; (2) “Female African American Social Worker”; (3) Dr. Charles Leeb; (4) Dr. Adriana Velazquez; (5) West Valley Detention Center; (6) Glen Helen Rehabilitation Center; (7) Sacramento Family Justice Center; (8) California Highway Patrol; (8) Jessica Gandara; (9) Rebecca Irwin; (10) Anaheim Community Hospital staff; (11) San Bernardino District Attorney’s Office; and (12) Dr. Jorge Beber & Liberty Health /EASS. [Dkt. No. 1 (the “Second Action”.)] Plaintiff alleges, among other things, that she was arrested on false charges, was a victim of retaliation and harassment by Enterprise Rent-A-Car, that the California Highway Patrol took adverse action against her, that she cannot post bail, her

1 public defender and the prosecutor were incompetent, she has been treated
 2 with cruel and unusual punishment due to her race, and she has been exposed
 3 to x-ray radiation for no reason. [Id. at 2-4.] On May 21, 2025, the Court
 4 granted Plaintiff's request to proceed without prepayment of fees. [Dkt. No.
 5 28.]

6 On June 10, 2024, Plaintiff filed a 42 U.S.C. § 1983 Complaint naming
 7 most of the same defendants and the same claims. See Flores v. Vang, et al.,
 8 No. 5:24-cv-01347-MWC-PD (the "First Action"), Dkt. No. 1.

9 On June 6, 2025, the Court issued an Order to Show Cause why the
 10 Second Action should not be dismissed as duplicative. [Dkt. No. 29.] The
 11 Court explained that this is one of three pending cases filed by Plaintiff in this
 12 district. The others are Flores v. Vang, Case No. 5:24-cv-01347-MWC-PD and
 13 Flores v. California Highway Patrol, Case No. 5:25-cv-00203-MWC-PD.¹ The
 14 Court further explained that the Second Action is substantively identical to
 15 Flores v. Vang, Case No. 5:24-cv-01347-MWC-PD, in which Plaintiff raises the
 16 same claims against almost all of the same Defendants and alleges almost
 17 identical set of facts. [Id. at 2.] Plaintiff was ordered to show cause why the
 18 Court should not dismiss the Complaint as duplicative. [Id.]

19 On July 7, 2025, Plaintiff filed a Third Amended Complaint in the
 20 instant case. [Dkt. No. 30.] Plaintiff filed the identical Third Amended
 21 Complaint in the First Action, Flores v. Vang, Case No. 5:24-cv-01347-MWC-
 22 PD, Dkt. No. 40. Plaintiff did not address the Order to Show Cause and

23
 24 ¹ The Court takes judicial notice of its own files and records and notes that the First
 25 Amended Complaint and entire action was dismissed as duplicative in Flores v.
26 California Highway Patrol, Case No. 5:25-cv-00203-MWC-PD, Dkt. Nos. 19, 20. See
27 Fed. R. Evidence 201; United States ex rel. Robinson Rancheria Citizens Council v.
Borneo, Inc., 971 F.2d 244, 248 (9th Cir. 1992) (courts "may take notice of
 28 proceedings in other courts, both within and without the federal judicial system, if
 those proceedings have a direct relation to the matters at issue").

1 explain why the instant action is not duplicative. Accordingly, the Second
 2 Action is subject to dismissal as duplicative of the First Action.

3 **II. Legal Standard**

4 Federal courts “retain broad powers to prevent duplicative or
 5 unnecessary litigation.” Slack v. McDaniel, 529 U.S. 473, 478 (2000).
 6 “Plaintiffs generally have ‘no right to maintain two separate actions involving
 7 the same subject matter at the same time in the same court and against the
 8 same defendant.’” Adams v. California Dept. of Health Services, 487 F.3d
 9 684, 688 (9th Cir. 2007), overruled on other grounds by Taylor v. Sturgell, 553
 10 U.S. 880, 904 (2008); see United States v. Haytian Republic, 154 U.S. 118,
 11 124–25 (1894). The court has discretion to dismiss a duplicative complaint
 12 with prejudice to prevent a plaintiff from “fragmenting a single cause of action
 13 and [] litigat[ing] piecemeal the issues which could have been resolved in one
 14 action.” Adams, 487 F.3d at 694 (quoting Flynn v. State Bd. of Chiropractic
 15 Exam’rs, 418 F.2d 668 (9th Cir. 1969) (per curiam)).

16 **III. The Second Action is Dismissed as Duplicative**

17 **A. Both Cases in this U.S. District Court Concern the Same
 18 Subject Matter and Arise Out of the Same Transactional
 19 Nucleus of Facts**

20 “To ascertain whether successive causes of action are the same, we use
 21 the transaction test, developed in the context of claim preclusion.” Adams, 487
 22 F.3d at 689. In applying the transaction test, the Court must consider four
 23 factors:

24 (1) whether rights or interests established in the prior judgment would
 25 be destroyed or impaired by prosecution of the second action; (2)
 26 whether substantially the same evidence is presented in the two
 27 actions; (3) whether the two suits involve infringement of the same
 28 right; and (4) whether the two suits arise out of the same transactional
 nucleus of facts.

Id. at 689 (quoting Costantini v. Trans World Airlines, 681 F.2d 1199, 1201–

1 02 (9th Cir. 1982)). "The last of these criteria is the most important." Id.

2 The Court starts with the fourth factor because it is the most important.
3 The Third Amended Complaints in the First and Second Actions are identical.
4 [See Dkt. No. 30 and Flores v. Vang, Case No. 5:24-cv-01347-MWC-PD, Dkt.
5 No. 40.] The allegations and the claims are exactly the same. [Id.] In
6 addition, the other three factors of the transaction test do not indicate that
7 these cases are distinct and therefore support dismissal. The evidence in both
8 cases would be identical because the claims are identical and a judgment on
9 such claims in one case would affect the rights or interests in the other. And
10 both cases concern the infringement of the same rights.

11 In her First and Second Action, Plaintiff essentially seeks the same
12 relief for the same causes of action based on the same conduct against the
13 same individuals. To the extent Plaintiff believes there is anything or anyone
14 missing from the First Action, she would not be prejudiced by dismissal of the
15 Second Action because the Court has provided, and continues to provide,
16 Plaintiff with leave to amend the First Action after the date she filed the First
17 Action. Flores v. Vang, Case No. 5:24-cv-01347-MWC-PD, Dkt. Nos. 8, 35, 39.

18 In sum, the Second Action is duplicative of the First Action and should
19 be dismissed.

20 **IV. ORDER**

21 For the foregoing reasons, this action is dismissed as duplicative of an
22 existing action.

23 Dated: July 21, 2025



24
25 HONORABLE KENLY KIYA KATO
26 UNITED STATES DISTRICT JUDGE
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